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Attorneys for City of Cedar Hill

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	Case No. 08-34017-BJH-13
Carl Wayne and Glenda Sue Hicks	§	Chapter 13
Debtor(s)	§	

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

NOW COMES, City of Cedar Hill (hereinafter "Taxing Unit"), Creditor(s), and files the following Objection to the confirmation of the Debtor's Chapter 13 Plan (hereinafter "the Plan") and as grounds therefore would state the following:

1. The Taxing Unit is authorized to levy and assess *ad valorem* taxes on the value of property located within its taxing jurisdictions as of January 1 of each tax year.
2. The Taxing Unit is a fully secured *ad valorem* tax Creditor in this case holding first priority perfected liens against property of the Debtor. The Taxing Unit's claim is secured pursuant to the Texas Property Tax Code §§ 32.01 and 32.05.
3. The Taxing Unit objects to confirmation of the Plan to the extent that it fails to provide for the full amount of its claim for all property taxes due as of the petition date, including

2008 taxes totaling \$639.64 plus applicable 506(b) interest at the statutory rate of 12% per annum.

WHEREFORE PREMISES CONSIDERED, the Taxing Unit objects to the Plan, requests that the Plan not be confirmed and for such other relief as is just and proper.

DATED: 10/28/2008

PERDUE, BRANDON, FIELDER, COLLINS
& MOTT, L.L.P

By: /s/ Charles E. Brady
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Attorney for Taxing Unit

CERTIFICATE OF CONFERENCE

I hereby certify that I:

- ☐ Made a good faith effort to negotiate a settlement of this Objection to Confirmation with Debtor's Counsel but no settlement was reached.
- ☒ Sent an electronic message to Debtor's Counsel on 10/20/2008 in an effort to resolve this Objection to Confirmation and no response was received by the same time on the second business day after such communication.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing document was served on this the 29th day of October, 2008, by first class mail, postage prepaid, upon the following parties:

Carl Wayne & Glenda Sue Hicks
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Cedar Hill, Texas 75106

Hyatt and Denemark
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/s/ Charles E. Brady

Elizabeth Banda

Eboney Cobb

Charles E. Brady